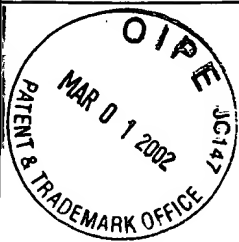


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555 Twelfth Street, NW
Washington, DC 20004-1206

AF#
1631



March 1, 2002

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TECH CENTER 1600/2900

Commissioner For Patents
Washington, D.C. 20231

Re: U.S. Utility Application No. 09/333,534
Filed: June 14, 1999
For: Nucleic Acid Molecules and Other Molecules
Associated with Plants
Ref. No.: 38-21(15404)B

Dear Sir or Madam:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences filed in duplicate;
2. check No. 200940 in the amount of \$320.00; and
3. a return postcard.

Please stamp the attached postcard with the filing date of these documents and return the postcard to our courier.

Applicant does not believe that any fees other than that required for the Notice of Appeal (\$320.00) are due in conjunction with this filing. However, should any additional fees be required in conjunction with this filing, the Patent and Trademark Office is authorized to charge any additional fees or credit any overpayment to Arnold and Porter deposit account 50-1824 referencing matter number 16517.001/38-21(15404)B.

Sincerely,

William Sekyi (Reg No: 45,831) (Law Clerk)
David R. Marsh (Reg No: 41,408)
June E. Cohan (Reg No: 43,741)

Enclosures

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Timothy W. CONNER *et al.*

Appln. No.: 09/333,534

Filed: June 14, 1999

For: Nucleic Acid Molecules and Other
Molecules Associated with Plants



Art Unit: 1631

Examiner: A. Marschel

Atty. Docket: 38-21(15404)B

**Notice of Appeal from the Examiner to the
Board of Patent Appeals and Interferences**

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Commissioner for Patents
Washington, DC 20231

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner mailed December 3, 2001, that resulted in Applicants having claims that have been twice or finally rejected.

Check number 200940 submitted herewith includes payment of the fee of \$ 320.00 for filing a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (37 C.F.R. § 1.17(b)). In the event that extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for in the papers accompanying this Notice are required to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 13-4125 referencing docket number 38-21(15404)B. A duplicate copy of this Notice is attached.

Respectfully submitted,

Lawrence M. Lavin

Lawrence M. Lavin (Reg. No. 30,768)

by David R. Marsh (Reg. No. 41,408)

by

David R. Marsh

03/04/2002 JADD01 00000109 09333534

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320.00 DP

Date: March 1, 2002

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